

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

G.T., by and through next friend)	
LILIANA T. HANLON, individually and)	
on behalf of all others similarly situated,)	
)	
Plaintiff,)	Case No. 1:21-cv-04976
v.)	
)	Hon. Nancy L. Maldonado
SAMSUNG ELECTRONICS AMERICA,)	
INC.,)	
)	
Defendant.)	

**UNOPPOSED MOTION TO STAY
THE BRIEFING ON SAMSUNG’S MOTION TO DISMISS**

Plaintiff G.T. (“Plaintiff”), through her attorneys, moves unopposed for an order staying the briefing on Defendant Samsung Electronics America, Inc.’s (“Samsung”) Motion to Dismiss [ECF No. 37] pending the ruling on Plaintiff’s motion to consolidate [ECF No. 41], and in support thereof, states as follows:

1. On October 21, 2022, Samsung filed its Motion to Dismiss. *See* ECF No. 37.
2. Plaintiff’s response in opposition to the Motion to Dismiss is currently due December 2, 2022. *See* ECF Nos. 32, 40 at 2, ¶ II.A. This deadline has not passed.
3. On November 21, 2022, Plaintiff filed her motion to consolidate this action (“Consolidation Motion”) with *Jones v Samsung Electronics America Inc. et al., G.T. v. Samsung Electronics America, Inc.*, Case No. 1:22-CV-05662-JRB (N.D. Ill.) (“Jones Action”) pursuant to Fed. R. Civ. P. 42(a), given that the Jones Action asserts identical claims on behalf of a substantially-similar proposed class. *See, generally*, ECF No. 41.
4. At the hearing held November 22, 2022, Samsung confirmed it had no objections to the Consolidation Motion. *See* ECF No. 42. Thus, the Court explained it would take the

Consolidation Motion under advisement and issue its ruling in a subsequent order. *Id.*

5. If the Court consolidates this matter with the Jones Action, Plaintiff intends to move for leave to file a Consolidated Amended Class Action Complaint that will likely moot or at least impact some of the arguments raised in the Motion to Dismiss.

6. As such, Plaintiff respectfully requests that Court stay the briefing on Samsung's Motion to Dismiss pending its ruling on the Consolidation Motion.

7. Staying the briefing on Samsung's Motion to Dismiss will not unduly delay these proceedings or prejudice the parties. On the other hand, proceeding with the briefing at this time would only waste the resources of the Court and the parties, thereby frustrating the purpose of Rule 42(a)'s consolidation mechanism.

8. This is the first time Plaintiff has requested a modification of the briefing schedule on the Motion to Dismiss.

9. Prior to filing, Plaintiff's counsel contacted Samsung's attorney, who confirmed Samsung does not object to staying the briefing on its Motion to Dismiss.

10. Accordingly, good cause exists for the relief sought herein.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order: (A) granting this Motion; (B) staying the briefing schedule on Samsung's Motion to Dismiss pending the Court's ruling on the Consolidation Motion; and (C) awarding any further relief the Court deems necessary and proper.

Dated: December 1, 2022

Respectfully submitted,

G.T., BY AND THROUGH NEXT FRIEND LILIANA T. HANLON, individually and on behalf of all others similarly situated, Plaintiff

By: /s/ Gregg M. Barbakoff

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CERTIFICATE OF SERVICE

I hereby certify that, on December 1, 2022, I caused a copy of the foregoing document, along with any attached exhibits, to be served upon all counsel of record via electronic filing using the CM/ECF system.

/s/ Gregg M. Barbakoff